

Notice of Allowability

Application No.

09/764,729

Examiner

Hung Q. Dang

Applicant(s)

BACCHIAZ ET AL.

Art Unit

2612

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application's amendment dated 12/9/2006.
2. ☒ The allowed claim(s) is/are 41,42,44-57,60-65,77,79 and 89-94.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

1. This communication is in response to application's amendment dated 12/19/2006. The amended drawing, the amended specification and the amend claims have been entered.

Allowable Subject Matter

2. Claims 41, 42, 44-57, 60-65, 77, 79 and 89-94 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 41, the prior arts of record fail to teach or disclose a biometric key in the form of a mechanical key as claimed in claim 41, wherein the sensor is surrounded by an insulator in the key body and is accommodated within a mating recess of the insulator.

Regarding claim 46, the prior arts of record fail to teach or disclose a biometric key as claimed in claim 46, wherein the insulator incorporates a plurality of contact portals in contact with corresponding contacts or wire leads of the circuit board.

Regarding claim 54, the prior arts of record fail to teach or disclose a mechanical lock body engageable with a biometric key as claimed in claim 54, wherein the rotation of the movable component or cylinder is caused by corresponding rotation of a locking pin within the lock body which is due to actuation of the linear motor or solenoid.

Regarding claim 63, the prior arts of record fail to teach or disclose a mechanical lock body as claimed in claim 63, wherein within each insulator there is

provided an inner contact for touching corresponding contacts of biometric key in use and an outer contacts separated from an adjacent inner contact by a spring.

Regarding claim 77, the prior arts of record fail to teach or disclose a process for providing access to a facility by using a biometric key as claimed in claim 77, wherein enrolment of an authorized biometric signature takes place by initial engagement of said biometric key with said receptor body and actuation of the biometric sensor for automatic generation of a signal representing said biocode of data which represents said authorized biometric signature which is then captured into said database of the processing unit and wherein the host computer requests personal and/or demographic information relative to the authorized biometric signature before said capture of the authorized biometric signature.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hung Q. Dang whose telephone number is (571) 272-3069. The examiner can normally be reached on 9:30AM-6PM.

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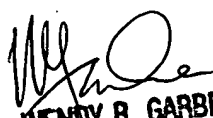
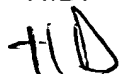
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on (571) 272-7308. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hung Q Dang

1/8/2006

H.D.



WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
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